IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.2995 OF 2004
IN
APPEAL LODGING NO.559 OF 2004
IN
NOTICE OF MOTION NO.490 OF 2004
IN
ARBITRATION APPEAL NO.1 OF 2004

Mr.Jasmath Sheta .. Appellant.
V/s.
Global Infrastructure & Techno-
logies Ltd. & Others .. Respondents.

Mr.A.Y. Sakhare, senior counsel i/b. Vipeen Thokal for the appellant.

Mr.Tushar Bhavsar i/b. Saira Mirzankar for respondent No.1.

Mr.J.B. Sen i/b. Federal & Rashmikant for respondent Nos.2 and 3.

CORAM : R.M. LODHA, &
J.P. DEVADHAR, JJ.

DATED : 30TH NOVEMBER, 2004.

P.C. :

The appeal is barred by 12 days.

2. For the reasons stated in the affidavit in support of the notice of motion, we are satisfied that the appellants were prevented by sufficient cause in filing the appeal in time. Delay in filing the appeal is condoned.

3. We clarify that the question of maintainability of appeal shall be considered when the appeal comes up for admission.

4. The office to process the appeal and post it for admission as soon as numbered.

(R.M. LODHA, J.)

(J.P. DEVADHAR, J.)